HON'BLE SMT JUSTICE T MEENA KUMARI

AND

HON'BLE SRI JUSTICE P LAKSHMANA REDDY

W.A.M.P No. 3785 of 2005

in

Writ Appeal No. 786 of 2000

ORDER (Per Hon'ble Smt. Justice T MEENA KUMARI) :

The petitioners, who are the appellants in the writ appeal, filed the present miscellaneous petition under Section 151 of C.P.C., seeking to modify the passed by this Court dated 25.07.2005 in W.A No. 786 of 2000.

Learned Standing Counsel for the petitioners- APSRTC, submits that the above order in W.A No. 786 of 2000 states that the Corporation sought dismissal of the writ appeal filed by it. But, whereas while disposing the similarly situated cases this Court refused to interfere with the orders of the learned Single Judge while observing that "in view of the law laid down by the Apex Court, this Court do not find any reason to interfere with the order of the learned single Judge." Hence, the present application has been moved seeking modification in pursuance of the orders passed by this Court in W.A No.938 of 2005 a similarly situated case.

Heard and perused the order now sought to modify. As seen from the record, it discloses that the above order was passed at the instance of the learned Counsel for the APSRTC. However, we make it clear that the above order is more or less in the similar terms as mentioned in W.A.No. 938 of 2005, which the petitioners herein want to incorporate in this writ appeal. However, in view of the submission made by the learned Counsel for the petitioners, we are inclined to allow this petition and to modify the present order to the same effect as observed in W.A. No. 938 of 2005.

Accordingly, this petition is allowed and we modify our order dated 25.07.2005 in W.A No. 786 of 2000 to the effect that " In view of the law laid down by the Apex Court, we do not find any reason to interfere with the order of the learned

single Judge".

(T MEENA KUMARI, J)

Dt. 18.11.05

(P LAKSHMANA REDDY, J)

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HON'BLE SMT JUSTICE T MEENA KUMARI

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